

ESTTA Tracking number: **ESTTA740442**

Filing date: **04/15/2016**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	92060029
Party	Defendant Melvin N.A. Avanzado DBA The Avanzado Law Firm
Correspondence Address	ELAINE W YU THE AVANZADO LAW FIRM 1880 CENTURY PARK E, STE 1404 LOS ANGELES, CA 90067 UNITED STATES elaine@avanzadolaw.com, mel@avanzadolaw.com
Submission	Other Motions/Papers
Filer's Name	Elaine Yu
Filer's e-mail	elaine@avanzadolaw.com
Signature	/Elaine Yu/
Date	04/15/2016
Attachments	2016-04-14 Avanzado Pretrial Disclosures (FINAL).pdf(217409 bytes )

**THE AVANZADO LAW FIRM**

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Avanzado

UNITED STATES PATENT AND TRADEMARK OFFICE  
TRIAL AND APPEAL BOARD

JAHN & ASSOCIATES, a Limited Liability  
Corporation,

Plaintiff,

v.

MELVIN N.A. AVANZADO, an  
individual,

Defendant.

CANCELLATION NO. 92060029  
REGISTRATION NO. 4015965

~~PRETRIAL DISCLOSURE~~  
~~RESPONSE OF RESPONDENT~~  
~~(DEFENDANT) AMANZADO AN RE~~  
~~AVANZADO CORP CANCELLATION FOR~~  
CANCELLATION

Petition filed: September 23, 2014

Petition filed: September 23, 2014

1 TO PETITIONER AND ITS ATTORNEYS OF RECORD:

2 PLEASE TAKE NOTICE that Defendant and Respondent Melvin N.A.  
3 Avanzado (“Avanzado”) hereby provides his Rule 26(a)(3) pretrial disclosures to  
4 Plaintiff Jahn & Associates (“Jahn”) pursuant to Rule 26 of the Federal Rules of Civil  
5 Procedure and Trademark Rule 2.120(a)(2) and TBMP § 701.02.

6 These pretrial disclosures are based on information currently available to  
7 Avanzado and his counsel. Avanzado reserves the right to rely on witnesses,  
8 documents and other information that may come to his attention during the trial  
9 testimony period. Avanzado also reserves the right to modify or supplement these  
10 pretrial disclosures as needed.

11 I.

12 **PERSONS LIKELY TO HAVE KNOWLEDGE AND INFORMATION**

13 A. **Witnesses With Known Contact Information**

14 Pursuant to Rule 26(a)(3), the individuals listed below may have  
15 knowledge and information which may support Avanzado’s defenses and contentions  
16 and who may testify at trial. Excepted from this list are those individuals Avanzado  
17 may use solely for impeachment.

18 1. **The Avanzado Law Firm (to be contacted through counsel)**

19 1880 Century Park East, Suite 1100

20 Los Angeles, California 90067

21 2. **Melvin N.A. Avanzado (to be contacted through counsel)**

22 1880 Century Park East, Suite 1100

23 Los Angeles, California 90067

24 3. **Glenn Truitt**

25 330 East Charleston Boulevard #100

26 Las Vegas, Nevada 89104

27 4. **Half Price Lawyers**

28 330 East Charleston Boulevard #100

1 Las Vegas, Nevada 89104

2 **5. Kirstin M. Jahn**

3 c/o Jahn & Associates, LLC

4 1942 Broadway Suite 314

5 Boulder, Colorado 80304

6 Phone: (303) 545-5128

7 **B. Subject Matter Of Testimony**

8 Each of the above individuals may have knowledge concerning the  
9 application, filing and registration – registration number 4015965 – of Avanzado’s  
10 trademark “Big Firm Experience . . . Small Firm Service” (the “Avanzado Mark”).

11 Each of the above individuals may also have knowledge concerning the  
12 use and ownership of the Avanzado Mark; design, inspiration and creation for  
13 Avanzado’s application with the United States Patent and Trademark Office to  
14 register the Avanzado Mark; Avanzado’s business operations and activities;  
15 Avanzado’s goods and services; facts and defenses alleged in Avanzado’s Answer and  
16 Affirmative Defenses filed November 3, 2014.

17 Each of the individuals may also have knowledge concerning the  
18 allegations in the petition for cancellation initiated by petitioner Kirstin M. Jahn  
19 and/or Jahn & Associates (collectively “Jahn”) concerning Jahn’s mark “Small Firm  
20 Big Experience” (the “Jahn Mark”).

21 **II.**

22 **DOCUMENTS AND EXHIBITS**

23 The documents, data compilations and tangible things, not privileged or  
24 protected from disclosure, reasonably available to Avanzado which Avanzado may  
25 use to support his contentions and defenses include those documents, data  
26 compilations and tangible things previously filed, used or communicated in  
27 connection with the Avanzado Mark. Avanzado expects to offer the following  
28 documents listed below at trial:

<b>DOCUMENT/EXHIBIT</b>	<b>IDENTIFICATION NUMBER</b>
Jahn's Responses to Avanzado's First Set of Requests for Admission	Exhibit 6 to Avanzado's Opposition to Jahn's Summary Judgment Motion
Jahn's Responses to Avanzado's First Set of Requests for Production of Documents	
Jahn's Responses to Avanzado's First Set of Interrogatories	
Jahn's Responses to Avanzado's Second Set of Interrogatories	
Jahn's Responses to Avanzado's Second Set of Requests for Production of Documents	
Avanzado's Responses to Jahn's Second Set of Interrogatories	Exhibit 7 to Avanzado's Opposition to Jahn's Summary Judgment Motion
Avanzado's Trademark Application with Serial Number 85231879	MNAA_TM_000001-16; Exhibits 2 & 3 to Avanzado's Opposition to Jahn's Summary Judgment Motion; JA 19-27
Avanzado's Trademark Certification of Registration for Serial Number 85231879	MNAA_TM_000017-19; Exhibit 4 to Avanzado's Opposition to Jahn's Summary Judgment Motion; JA 28-29
Electronic communication dated February 1, 2011 from the United States Patent & Trademark Office Trademark Electronic Application System ("TEAS") to	MNAA_TM_000035-38; Exhibit 3 to Avanzado's Opposition to Jahn's Summary Judgment Motion

DOCUMENT/EXHIBIT	IDENTIFICATION NUMBER
glenn@mycontractsguy.com regarding Serial Number 85231879	
Electronic communication ranging from June 3, 2009 through June 10, 2009 with the subject line “RE: NAPABA Regional Conference – June 19/20” with attachments	MNAA_TM_000039-53; Exhibit 1 to Avanzado’s Opposition to Jahn’s Summary Judgment Motion
Screenshots of Jahn’s website	MNAA_TM_000054-55
Screen shots of Firms Using Language Similar to the Avanzado Mark and the Jahn Mark	MNAA_TM_000056-126
Cease and desist letters written by Jahn, responses to Jahn’s cease and desist letters, and screen shots of the websites Jahn’s cease and desist letters target	JA 39-55
Jahn’s filings in Jahn’s Petition for Cancellation number 92060029	MNAA_TM_000021-34; JA 1-3
Jahn’s Trademark Application with Serial Number 77613824	JA 4-18
Letter from Jahn to Avanzado dated June 24, 2014 regarding the Avanzado Mark	MNAA_TM_000020; Exhibit 5 to Avanzado’s Opposition to Jahn’s Summary Judgment Motion JA 37
Jahn’s Summary Judgment Motion filed September 5, 2015	
Avanzado’s Opposition to Jahn’s	

<b>DOCUMENT/EXHIBIT</b>	<b>IDENTIFICATION NUMBER</b>
Summary Judgment Motion filed on October 12, 2015	
Jahn's Reply In Support Of Jahn's Summary Judgment Motion filed November 5, 2015	
Avanzado's Declaration In Support Of Avanzado's Opposition to Jahn's Summary Judgment Motion filed October 12, 2015	
Declaration of Kelly D. Talcott In Support Of Avanzado's Opposition to Jahn's Summary Judgment Motion filed on October 12, 2015	JA 30
Trademark Trial and Appeal Board Order Denying Jahn's Summary Judgment Motion filed January 26, 2016	
Screenshots from Avanzado's Website	JA 31-34 & 38
Search Results from the United States Patent & Trademark Office Trademark Electronic Application System Trademark Electronic Search System concerning the Avanzado Mark	JA 35-36
Email from Jahn to Avanzado dated June 24, 2014	JA 36

1 DATED: April 14, 2016

2 THE AVANZADO LAW FIRM

3  
4 By: 

5 Elaine W. Yu

6 Attorneys for Defendant and Respondent

7 Melvin N.A. Avanzado



1 **PROOF OF SERVICE**

2 I am employed in the County of Los Angeles, State of California. I am over  
3 the age of 18 years and am not a party to the within action. My business address is 1880  
4 Century Park East, Suite 1100, Los Angeles, California 90067. On the date set forth below, I  
caused the foregoing document(s) described as

5 **PRETRIAL DISCLOSURES OF DEFENDANT & RESPONDENT MELVIN**  
6 **N.A. AVANZADO**

7 to be served on the interested parties in this action as follows by placing  
8 ☐ the original ☒ a true copy thereof enclosed in sealed envelopes addressed as stated below:

9 Kirstin M. Jahn  
10 Jahn & Associates, LLC  
11 1942 Broadway, Suite 314  
12 Boulder, Colorado 80304  
13 <kirstin@jahnlaw.com>

14 ☒ **BY MAIL:** I sealed and placed such envelope for collection and mailing to be  
15 deposited in the mail on the same day in the ordinary course of business at Los  
16 Angeles, California. The envelope was mailed with postage thereon fully prepaid. I  
17 am readily familiar with this firm's practice of collecting and processing  
18 correspondence for mailing. It is deposited with the U.S. Postal Service on that same  
19 day in the ordinary course of business.

20 ☐ **BY OVERNIGHT COURIER:** I caused such envelope to be placed for collection  
21 and delivery on this date in accordance with standard \_\_\_\_\_ delivery  
22 procedures.

23 ☐ **BY FAX:** In addition to service by mail, I transmitted a copy of the foregoing  
24 document(s) this date via telecopier to the facsimile numbers shown above.

25 ☒ **BY ELECTRONIC MAIL:** I personally delivered such envelope by electronic mail  
26 to the addressee(s) shown above.

27 ☐ **BY PERSONAL SERVICE:** I personally delivered such envelope by hand to the  
28 addressee(s) shown above.

☐ [State] I declare under penalty of perjury under the laws of the State of California  
that the above is true and correct.

☒ [Federal] I declare that I am employed in the office of a member of the Bar of this  
Court at whose direction the service was made. I declare under penalty of  
perjury that the foregoing is true and correct.

Executed on April 14, 2016 at Los Angeles, California.

  
Elaine W. Yu

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